

National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



November 15, 2007

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

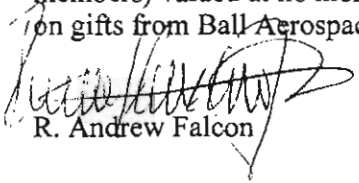
SUBJECT: Determination Regarding Attendance by NASA Employees at the Holiday Reception Sponsored by the Ball Aerospace & Technologies Corporation on December 3, 2007

On December 3, 2007, the Ball Aerospace & Technologies Corporation (Ball) is hosting a holiday reception at Zola's Restaurant at the International Spy Museum, in Washington, DC. Approximately 350 individuals have been invited to attend. The event will be widely attended by officials from other Federal agencies, members of Congress and their staffers, representatives from the aerospace industry and various aerospace associations, and others interested in aerospace. The estimated cost of the stand-up reception, which includes all food and beverages, is approximately \$40 - \$45 per person.

I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the event. Accordingly, NASA employees whose duties do not substantially affect Ball Aerospace may accept an invitation for free attendance to the reception for themselves and their spouses or guests. I have determined that free attendance of NASA employees is in the best interests of the Agency because it will further NASA programs and operations. The reception will allow NASA employees the opportunity to discuss with other guests the accomplishments and progress of the Space program as well as other aspects of common interest.

Accordingly, NASA employees whose duties do not substantially affect Ball Aerospace may accept an invitation for free attendance to the event for themselves. NASA employees whose duties may substantially affect Ball Aerospace, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3)(i) regarding participation in this event from their local ethics counselor.

In addition, Ball Aerospace plans to give each attendee a memento estimated at \$2.25 per person. Attendees may accept these mementos under the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts for themselves (and family members) valued at no more than \$20 per occasion so long as they do not exceed the \$50 cap on gifts from Ball Aerospace in a calendar year.


R. Andrew Falcon